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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

CATALINA YACHTS, INC., a
California Corporation,

Plaintiff,

v.

SHARON DAY, an individual;
GERARD DOUGLAS, an individual;
and DOES 1 through 10, inclusive,

Defendants

Case No. 2:25-CV-04090-SVW-RAO

Assigned to the Hon. Stephen V.
Wilson

**DECLARATION OF STEVEN M.
BERMAN IN SUPPORT OF
COUNTER-PLAINTIFF'S NOTICE
OF MOTION AND MOTION FOR
LEAVE TO AMEND SHARON
DAY'S ANSWER AND
COUNTERCLAIMS**

Date: October 20, 2025
Time: 1:30 p.m.
Dept.: 10A

Action Filed: May 7, 2025
Trial Date: None Set

AND RELATED COUNTERCLAIMS

DECLARATION OF STEVEN M. BERMAN

I, Steven M. Berman, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am a partner with Shumaker, Loop & Kendrick, LLP, attorneys of record for Counter-Plaintiff, Sharon Day, (“Defendant” or “Movant”). I have personal knowledge of the facts set forth herein, except as to those where the statement is based upon my information and belief and, as to those, I am informed and believe that they are true. If called as a witness, I could and would competently testify to the matters stated herein. I make this declaration in further support of Movant’s Motion for Leave to Amend the Answer and Counterclaims of Defendant, Sharon Day (the “Motion to Amend”).

2. On September 30, 2025, and October 6, 2025, our office communicated with Mike Lieb of Ervin Cohen & Jessup, counsel of record for Plaintiff and Counter-Defendant Catalina Yachts, Inc., (“Catalina”) and Daniel Kaplan of the Law Offices of Daniel A. Kaplan, counsel of record for Defendant and Counter-Plaintiff, Gerard Douglas (“Douglas”) regarding whether each of their respective clients consent to the relief requested in the Motion to Amend.

3. During this exchange with Messrs, Kaplan and Lieb, our office discussed the amended counterclaims and corresponding removal of Michael Reardon as a counterclaim party-defendant.

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2 4. While the parties do not oppose the dismissal of Mr. Reardon, which
3 would be effectuated by the proposed amendment, neither party expressed
4 affirmative approval or disapproval of the proposed amended counterclaim..

5 I declare under penalty of perjury under the laws of the United States of
6 America that the foregoing is true and correct.

7 Executed on this 13th day of October 2025 in Gulf Breeze, Florida.

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11 _____
Steven M. Berman